

Message Text

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ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 NSC-05 NRC-05 SS-15 L-03
FEA-01 PM-05 ERDA-05 ACDA-12 CIAE-00 INR-07 IO-13
NSAE-00 EB-08 DODE-00 SP-02 /101 W
-----031773 022228Z /66

R 021048Z DEC 77
FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC 6840
INFO AMEMBASSY VIENNA

C O N F I D E N T I A L BUCHAREST 8775

USIAEA

E.O. 11652: GDS
TAGS: TECH, ENRG, PARM
SUBJECT: US CRITERIA AND JUSTIFICATION FOR APPROVING EXPORTS OF
HIGHLY ENRICHED URANIUM

REF: STATE 283271

1. SUMMARY. PROVIDING GOR WITH NON-DISCRIMINATORY U.S. CRITERIA FOR APPROVING HEU EXPORTS IN TIMELY FASHION WILL BE ESSENTIAL IN VIEW OF UPCOMING ADJUSTMENTS IN U.S. EXPORT POLICY, HOWEVER, WE BELIEVE IT WOULD BE INOPPORTUNE TO PASS THIS INFORMATION ON TO GOR UNTIL ISSUES CURRENTLY BEING CONSIDERED IN BOTH CAPITALS HAVE BEEN RESOLVED. LONG HISTORY OF GENERAL ATOMIC'S REQUEST FOR LICENSE TO EXPORT FUEL FOR TRIGA REACTOR AND ROMANIAN SYMPATHY FOR PRESIDENT'S NON-PROLIFERATION GOALS (INCLUDING RECOGNITION THAT CHANGES WILL BE REQUIRED) SHOULD PLACE ROMANIA, WE BELIEVE, IN CATEGORY OF COUNTRIES TO WHID SUPPLY COMMITMENTS HAVE BEEN MADE. SUPPLEMENTARY ASSURANCES CONCERNING FUEL EXPORT ARE CURRENTLY BEING CONSIDERED BY GOR. ACTION REQUESTED REFTEL COULD JEOPARDIZE OUTCOME, AND ALSO PROVOKE UNNECESSARY RESENTMENT AND DOUBTS IN OTHER AREAS OF RELATIONSHIP. IF, AS WE ASSUME FROM PARA 11 REFTEL, CONFIDENTIAL

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DEPARTMENT INTENDS TO ADVISE GOR SEPARATELY OF WHAT SUPPLEMENTAL INFORMATION WILL BE REQUIRED OF ROMANIA, WE BELIEVE DEMARCHE SHOULD BE DEFERRED UNTIL IT CAN BE COMBINED WITH THIS REQUEST FOR SUPPLEMENTAL INFORMATION. END SUMMARY.

2. LIKE DEPARTMENT, EMBASSY BELIEVES IT SHOULD BE POSSIBLE TO ADJUST OUR NUCLEAR RELATIONSHIP WITH ROMANIA TO MEET OB-

JECTIVES OF U.S. NON-PROLIFERATION POLICY IN A MANNER WHICH WILL ENHANCE THAT RELATIONSHIP--AND OVERALL U.S.-ROMANIAN RELATIONS OF WHICH IT IS AN ESSENTIAL COMPONENT--RATHER THAN DAMAGE IT. AS POST HAS POINTED OUT, IT WILL BE ESSENTIAL, IN MANAGING THIS ADJUSTMENT, TO BRING UPCOMING POLICY CHANGES TO ATTENTION OF GOR IN TIMELY FASHION, WITH AS MUCH FOREWARNING AS POSSIBLE, AND TO MAKE GOR AWARE THAT CHANGES ARE NON-DISCRIMINATORY IN CHARACTER. REFTEL PROVIDES AN EXCELLENT DESCRIPTION OF CHANGES TO BE CARRIED OUT ON NON-DISCRIMINATORY BASIS, AND PROVIDING GOR WITH GIST AND TEXT OF PARAS 12-16 SHOULD SERVE CONSTRUCTIVE PURPOSE OF MOVING ADJUSTMENT PROCESS FOWARD.

3. IN EMBASSY'S VIEW, HOWEVER, IT WOULD BE INOPPORTUNE TO PASS THIS INFORMATION ON TO GOR AT THIS TIME, BEFORE EMBASSY IS IN A POSITION TO SPECIFY TO GOR WHAT EFFECT CONTEMPLATED CHANGES WILL HAVE ON ISSUES IN OUR NUCLEAR RELATIONSHIP WHICH ARE CURRENTLY UNDER INTENSIVE DISCUSSION HERE AND IN WASHINGTON.

4. AS WE SEE IT, LONG HISTORY OF GENERAL ATOMIC'S REQUEST FOR LICENSE TO EXPORT HEU FUEL FOR USE IN DUEL-CORE TRIGA REACTOR PURCHASED BY GOR IS PERSUASIVE ARGUMENT FOR PUTTING ROMANIA IN CATEGORY OF COUNTRIES TO WHICH U.S. HAS MADE PRIOR COMMITMENTS TO SUPPLY. ROMANIANS ARE GENERALLY SYMPATHETIC TO PRESIDENT'S CONCERN ABOUT SPREAD OF WEAPONS-USABLE NUCLEAR MATERIALS, AND THEY UNDERSTAND THAT NEW MEASURES ARE CALLED CONFIDENTIAL

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FOR TO LIMIT AND CONTROL ACCESS TO SUCH MATERIALS. AS A MEASURE OF THIS SHARED CONCERN, THEY ARE PARTICIPATING FULLY IN INFCE AND ARE NEGOTIATING SUPPLEMENTAL ASSURANCES REQUIRED BY U.S. TO PERMIT EXPORT OF FUEL FOR THEIR REACTOR. FOR OUR PART, RECENT ACTION AMENDING ROMANIA SUPPLY AGREEMENT TO PERMIT IMMEDIATE PAYMENT FOR FUEL APPEARS TO CONFIRM OUR RECOGNITION THAT A SUPPLY COMMITMENT EXISTS.

5. BOTH SIDES THEREFORE HAVE PROCEEDED UP TO NOW AS IF ROMANIA WERE INCLUDED AMONG COUNTRIES FALLING UNDER CRITERIA NOTED IN PARA 3 REFTEL. BASED ON WHAT THEY CONSIDER GOOD-FAITH ARRANGEMENT WITH U.S. FOR RESEARCH REACTOR USING HEU AND LEU, ROMANIANS HAVE MADE MAJOR INVESTMENT IN FACILITY IN EXPECTATION THAT U.S. WOULD SUPPLY NECESSARY FUEL.

6. BOTH SIDES ARE CURRENTLY CONSIDERING NEW STEPS. PARA 11 REFTEL NOTES THAAT DEPARTMENT IS REVIEWING OUTSTANDING HEU EXPORT REQUESTS AND THAT POSTS WILL BE ADVISED BY SEPTTEL IN THOSE SITUATIONS WHERE IT WILL BE NECESSARY TO SUPPLEMENT INFORMATION ALREADY AVAILABLE. FOR ITS PART, GOR HAS UNDER REVIEW OUR PROPOSALS FOR AN AGREEMENT ON SUPPLEMENTARY ASSURANCES PERMITTING FUEL EXPORT.

7. EMBASSY BELIEVES THAT ACTION REQUESTED IN PARA 17 REFTTEL COULD PUT FAVORABLE GOR DECISION ON SUPPLEMENTARY ASSURANCES UNNECESSARILY AT RISK BY PROVOKING UNWARRANTED FEAR THAT U.S. INTENDS TO EMBARK ON MAJOR CHANGE OF TACK WITHOUT DUE CONSIDERATION OF PAST HISTORY AND CURRENT STATE OF PLAY IN BILATERAL NUCLEAR RELATIONSHIP. AT THE OUTSIDE, REACTION COULD PROVOKE RESENTMENT AND DOUBTS IN OTHER AREAS OF BILATERAL RELATIONS WHICH WOULD BE EVEN MORE UNWARRANTED AND UNNECESSARY. IT SEEMS TO US THAT GENERAL ATOMIC SHOULD BE ABLE TO PROVIDE ALL TECHNICAL INFORMATION CURRENTLY REQUIRED ABOUT REACTOR WIT RUT RECOURSE TO ROMANIANS, BUT IF, AS WE ASSUME, DEPARTMENT INTENDS TO ADVISE EMBASSY AT SOME LATER POINT THAT SUPPLEMENTAL INFORMATION WILL BE REQUIRED OF GOR, THERE APPEARS TO BE GOOD REASON TO CONFIDENTIAL

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DEFER DEMARCHE AUTHORIZED IN PARA 17 SEPTTEL UNTIL WE ARE IN A POSITION TO COMBINE IT WITH THIS REQUEST FOR SUPPLEMENTAL INFORMATION.

8. ADVISE.
AGGREY

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NNN

Message Attributes

Automatic Decaptioning: X
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Concepts: EXPORTS, URANIUM, LAW, EXPORT CONTROLS
Control Number: n/a
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Sent Date: 02-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
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Disposition Reason:
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